

## SENATE BILL No. 331

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### DIGEST OF INTRODUCED BILL

**Citations Affected:** IC 11-8-8-19.

**Synopsis:** Sex offender registry. Requires the department of correction to remove from the sex and violent offender registry web site the name of any sex or violent offender who is no longer required to register. (The introduced version of this bill was prepared by the sentencing policy study committee.)

**Effective:** July 1, 2009.

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**Walker**

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January 8, 2009, read first time and referred to Committee on Corrections, Criminal, and Civil Matters.

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Introduced

First Regular Session 116th General Assembly (2009)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2008 Regular Session of the General Assembly.

## SENATE BILL No. 331

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

*Be it enacted by the General Assembly of the State of Indiana:*

- 1 SECTION 1. IC 11-8-8-19, AS AMENDED BY P.L.119-2008,  
2 SECTION 8, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE  
3 JULY 1, 2009]: Sec. 19. (a) Except as provided in subsections (b)  
4 through (e), a sex or violent offender is required to register under this  
5 chapter until the expiration of ten (10) years after the date the sex or  
6 violent offender:  
7 (1) is released from a penal facility (as defined in IC 35-41-1-21)  
8 or a secure juvenile detention facility of a state or another  
9 jurisdiction;  
10 (2) is placed in a community transition program;  
11 (3) is placed in a community corrections program;  
12 (4) is placed on parole; or  
13 (5) is placed on probation;  
14 for the sex or violent offense requiring registration, whichever occurs  
15 last. The registration period is tolled during any period that the sex or  
16 violent offender is incarcerated. The registration period does not restart  
17 if the offender is convicted of a subsequent offense; however, if the

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subsequent offense is a sex or violent offense, a new registration period may be imposed in accordance with this chapter. The department shall ensure that an offender who is no longer required to register as a sex or violent offender is notified that the obligation to register has expired. **The department shall remove from the Indiana sex and violent offender registry web site maintained under IC 36-2-13-5.5 the name of a sex or violent offender who is no longer required to register.**

(b) A sex or violent offender who is a sexually violent predator is required to register for life.

(c) A sex or violent offender who is convicted of at least one (1) offense under section 5(a) of this chapter that the sex or violent offender committed:

- (1) when the person was at least eighteen (18) years of age; and
- (2) against a victim who was less than twelve (12) years of age at the time of the crime;

is required to register for life.

(d) A sex or violent offender who is convicted of at least one (1) offense under section 5(a) of this chapter in which the sex offender:

- (1) proximately caused serious bodily injury or death to the victim;
- (2) used force or the threat of force against the victim or a member of the victim's family, unless the offense is sexual battery as a Class D felony; or
- (3) rendered the victim unconscious or otherwise incapable of giving voluntary consent;

is required to register for life.

(e) A sex or violent offender who is convicted of at least two (2) unrelated offenses under section 5(a) of this chapter is required to register for life.

(f) A person who is required to register as a sex or violent offender in any jurisdiction shall register for the period required by the other jurisdiction or the period described in this section, whichever is longer.

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